

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

REBECCA TERRY,

Plaintiff,

Case No.: 17-cv-1112-JPS

v.

COUNTY OF MILWAUKEE, DAVID A.
CLARKE, JR., in his personal and official
capacities, OFFICER BRIAN WENZEL, JANE
AND JOHN DOE, UNKNOWN EMPLOYEES
OF MILWAUKEE COUNTY JAIL, JANE AND
JOHN DOE, UNKNOWN JAIL
SUPERVISORS, ARMOR CORRECTIONAL
HEALTH SERVICES, CAROLYN EXUM,
MORGAN BEVENUE, MARGARET
HOOVER,

Defendants.

**DEFENDANT ARMOR CORRECTIONAL HEALTH SERVICES' MOTION FOR
LEAVE TO FILE OVERSIZED REPLY BRIEF**

Defendant Armor Correctional Health Services ("Armor"), by its attorneys, Hinshaw & Culbertson LLP, hereby moves the Court to allow it to file an oversized reply brief in support of its motion for summary judgment. In support of this motion, Armor submits the following:

1. On September 24, 2018, Plaintiff filed her Omnibus Response in Opposition to Defendants' Motions for Summary Judgment (ECF No. 117) and various supporting documents (ECF No. 178-185), in accordance with the Court's July 2, 2018 Order (ECF No. 147) granting the County Defendants' motion for an extension of time to file dispositive motions and setting briefing deadlines.
2. Local Rule 56(b)(8)(A) states that the page limit for a reply memorandum in support of summary judgment must not exceed fifteen (15) pages.

3. Due the complex *Monell* issues set forth in Armor and Plaintiff's brief, namely notice and causation, and the need for Armor to revisit the extensive case law behind these issues; the number of proposed findings of fact submitted by Plaintiff; and Plaintiff's pivot to a different second theory of *Monell* liability than what she alleged in her Amended Complaint, Armor's Reply Brief in Support of Summary Judgment exceeds 15 pages. Armor respectfully requests leave of the Court to exceed the page limitation.

4. In her Amended Complaint, Plaintiff asserted that Armor failed to develop a nursing protocol for inmates in late-term pregnancy and labor. In her Omnibus Response in Opposition to Defendants' Motions for Summary Judgment, Ms. Terry pivots to a broader claim of failure to develop a nursing protocol for pregnant inmates. Ms. Terry also inconsistently concedes Armor had a pregnancy policy, but now argues Armor failed to follow its pregnancy policy.

5. Plaintiff's Statement of Facts contains one hundred and thirty-four (134) proposed findings of fact. (ECF No. 179).

6. Good cause exists for extending page limit on Armor's Reply Brief in Support of its Motion for Summary Judgment.

7. Armor has made its best effort to keep its reply brief concise given the breadth of material and complexity of legal issues covered.

8. Counsel certifies pursuant to Local Rule 7(a)(2) that no papers or affidavits will be filed in support of this motion.

WHEREFORE, Armor respectfully requests the Court to grant its motion to leave to file an oversized reply brief in support of its motion for summary judgment.

Dated this 28th day of September, 2018.

/s/ Mollie T. Kugler

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